

REMARKS

In response to the final Office Action mailed July 2, 2008, the Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the following comments.

Claims 19-26 and 28-35 are pending in this application. Claims 19, 21-26, 28 and 30-35 stand rejected under 35 USC 102(b) over U.S. Patent Number 3,735,593 (hereinafter “Howell”). The Examiner indicated that Claims 20 and 29 contain allowable subject matter. Applicants respectfully submit the following remarks in support of the patentability of the present claims.

Regarding the rejection of Claims 19, 21-26, 28 and 30-35, Applicants respectfully maintain that Howell fails to teach all elements of the pending claims.

In particular, the Applicants note that passage 13 in FIG. 1 of Howell has an annular inlet 14, which is positioned in the radially inner surface of the casing 3 adjacent the tips 1b of the fan rotor blades 1. (Col. 2, lines 14-17). As is clear from FIG. 1, the larger opening of passage 13 is disposed downstream of the rotor blades, as indicated by the arrow A. (Col. 2, lines 7-8.) Thus, the passage 13 cannot supply the fluid duct recitation of claim 19 or 28, as claims 19 and 28 recite that the fluid duct has a first end with a slot therein opening to the inlet fan duct outer wall, a body, and a second end with a slot therein opening to aft of a fan rotor, *the slot in the first end being disposed upstream of the fan rotor.* (Emphasis added.) Thus, for at least this reason, Claims 19 and 28 are not anticipated by Howell.

Applicants wish to address the Examiner’s implication that the terms “upstream” and “downstream” should be deemed arbitrary and as such be effectively ignored, as the present claims do not explicitly recite a frame of reference. Applicants respectfully submit that the Examiner’s claim construction neglects both the use of these terms in the present Specification, as well as their ordinary meaning to one skilled in the art. As is clear from the present application, Applicants use the term upstream to mean the direction that flow comes from, and downstream to mean the direction that flow moves towards. Using this definition, the flow comes into the front of an engine, and exits the back, establishing that the front is upstream of the back. (See, for example, paragraph [0013] beginning on page

6 of the present application.) As this usage is explicitly defined in the specification, one skilled in the art would have no doubt as to what is meant by the use of the terms upstream and downstream in the claims.

Because Claims 19 and 28 both require a slot in the first end of the duct being disposed upstream of the fan rotor, these claims are not anticipated as the Examiner suggests.

In addition to this argument, the Examiner suggests that Howell demonstrates a system that increases the speed of the flow adjacent to the inlet fan duct outer wall. Specifically, the Examiner states that as the flow enters the second end of the fluid duct 13, the speed of the flow is accelerated because the second end of the duct 13 has a very small cross sectional area in comparison to the large cross-sectional area of the inlet fan duct of the engine (see Office Action of 7 June 2007, page 3, last sentence).

The Examiner's contention that the flow must accelerate because the cross section of the fluid duct 13 end is small in comparison to the large area of the inlet fan duct is only true *if the entire flow through the inlet fan duct must pass through the fluid duct 13*. This is not the case. In fact, only a tiny portion of the flow through the fan duct would be expected to flow through the illustrated duct 13. The majority of the flow will pass over the fan rotor blades 1 and through the interior of the nacelle and over stator blades 11, and then out of the engine without passing through duct 13. Therefore, the illustrated geometry does not produce the increase in speed that the Examiner suggests.

Because the entirety of the flow does not pass through the duct 13 of Howell, nor is the speed of the flow through duct 13 the same as the speed of the flow along the surface of the inlet fan duct adjacent the outer inlet fan duct wall, the recited element of increasing air velocity adjacent to the inlet fan duct outer wall is not shown by Howell.

Because at least these two claim elements of independent Claims 19 and 28 are not taught by Howell, the Applicants submit that the rejection maintained by the Examiner under 35 U.S.C. §102 is not properly applicable to the pending claims. The Applicants therefore respectfully request that the Examiner withdraw this rejection and pass independent Claims 19 and 28, as well as those claims that depend from 19 and 28, to allowance.

CONCLUSION

In light of the discussion above, the Applicants request that the Examiner reconsider the rejection of currently pending Claims 19-26 and 28-35 and pass these Claims to allowance. If any issues remain unresolved, particularly issues related to the Applicants, the Examiner is invited to telephone the Applicants' counsel at the number provided below so that a resolution can be most effectively reached.

Respectfully submitted,

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October 1, 2008